



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mukerji et al.

Serial No.: 10/054,534

Filed: January 22, 2002

For: DESATURASE GENES AND USES  
THEREOF

Case No.: 6763.US.P1

Examiner: D. Sullivan

Group Art Unit: 1636

**Certificate of Mailing under 37 CFR §1.8(a):**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as First Class Mail addressed to as follows:

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*8/31/05*  
*Kimberly A. Iorio*  
Kimberly A. Iorio Date

**TRANSMITTAL LETTER**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith for the patent application identified above entitled DESATURASE GENES AND USES THEREOF are the following:

1. Terminal Disclaimer To Obviate a Provisional Double-Patenting Rejection (2 Pages); and
2. Return Receipt Postcard.

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR §1.16, as well as any patent application processing fees under 37 CFR §1.17 associated with this communication for which full payment had not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

Respectfully submitted,  
Mukerji, et al.

*Cheryl L. Becker*  
Cheryl L. Becker  
Registration No. 35,441  
Attorney for Applicants

ABBOTT LABORATORIES  
Customer No.: 23492  
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1636/Ifw

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Serial No.: 10/054,534

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Attorney Docket No.: 6763.US.01


Examiner: D. Sullivan

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Date of Deposit: 8/31/05

  
\_\_\_\_\_  
Kimberly A. Iorio

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE-  
PATENTING REJECTION (37 C.F.R. 1.321(b))**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The assignee of the above-captioned patent application is Abbott Laboratories, 100 Abbott Park Road, Abbott Park, County of Lake, State of Illinois 60064-6008. I, Cheryl L. Becker, Senior Counsel and attorney of record in the application, am authorized to sign on behalf of the assignee.

The assignment of the U.S. Patent Application Serial No. 10/054,534 was submitted to the U.S. Patent and Trademark Office on May 15, 2002 for the purpose of recordation and was given Reel and Frame numbers as follows: Reel 012696, Frame 0937.

Assignee hereby disclaims the terminal part of the any patent granted on the above-identified Patent Application Serial No. 10/054,534 which would extend beyond the expiration date of the full statutory term of any patent granted on Patent Application

Serial No. 10/431,952, filed on May 8, 2003. Assignee further agrees that any patent so granted on the above-identified Patent Application shall be enforceable only for and during such period that legal title to said patent shall be the same as the legal title to any patent granted on Application Serial No. 10/431,952, this agreement to run with any patent granted on the above-identified Patent Application Serial No. 10/054,534 and to be binding upon the grantor, its successors, or assigns.

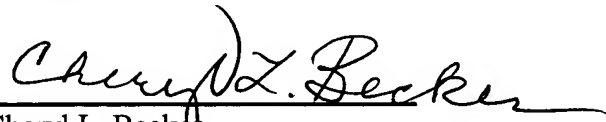
Assignee does not disclaim any terminal part of the any patent granted on the above-identified Patent Application Serial No. 10/054,534 prior to the expiration date of the full statutory term in the event that any patent granted on Application Serial No. 10/431,952 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole under 37 CFR 1.32(a), has all claims cancelled by a reexamination certificate, or is terminated prior to expiration of its statutory term.

The Commissioner is hereby expressly authorized to charge the appropriate terminal disclaimer fee under 37 CFR 1.20 (d) to Deposit Account No. 01-0025.

I hereby declare that all statements made herein, of my knowledge, are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,  
Mukerji, et al

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